

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

David Grabowski, *et al.*,

Plaintiffs,

v.

Case No. 09-10503

Citibank Corporation, *et al.*,

Honorable Sean F. Cox

Defendants.

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**ORDER OF DISMISSAL**

This action was removed to this Court on February 10, 2009.

A routine review of the docket revealed that no summons has been returned executed as to Defendant Citibank Corporation, although the time for service under FED. P. CIV. P. 4(m) has expired. Accordingly, on June 24, 2009, this Court issued an "Order Directing Plaintiff to Show Cause," requiring Plaintiffs to show cause, in writing, no later than July 6, 2009, why this case should not be dismissed for failure to effect timely service of process as to Defendant Citibank Corporation. (Docket Entry No. 5).

Plaintiffs did not file any response that Order.

Pursuant to this Court's June 24, 2009 Order Directing Plaintiff to Show Cause, and pursuant to FED. R. CIV. P. 4(m), **IT IS ORDERED** that Defendant Citibank Corporation is hereby **DISMISSED WITHOUT PREJUDICE** from this action.

**IT IS SO ORDERED.**

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: August 4, 2009

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PROOF OF SERVICE

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 4, 2009, by electronic and/or ordinary mail.

s/Jennifer Hernandez

Case Manager